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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/844,920	04/26/2001	Erin H. Sibley	PD-201030A	2072

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HUGHES ELECTRONICS CORPORATION
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EXAMINER

NGUYEN, THUAN T

ART UNIT	PAPER NUMBER
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2685

DATE MAILED: 07/02/2003

3

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.
09/844,920

Applicant(s)
Sibley et al.

Examiner
Thuan Nguyen

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2685



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on _____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☒ Claim(s) 1 and 17 is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on Apr 26, 2001 is/are a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☒ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s). 2 6) ☐ Other:

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DETAILED ACTION

Information Disclosure Statement

1. The information disclosure statement submitted on 4/26/01 was filed on or after the mailing date of the application 09/844,920 on 4/26/01. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the petition is granted and the information disclosure statement is being considered by the examiner.

Claim Objections

2. Claim 1 is objected to because of the following informalities: on line 10, --said wireless local network-- should be corrected as --said wireless local area network--; and on line 12 --said local area network-- should be corrected as ---said wireless local area network-- as earlier claimed on line 9. Appropriate correction is required.

3. Claim 17 is objected to because of the following informalities: --the compressed signaling-- should be corrected as --the compressed signal-- as previously called for in claim 16. Otherwise, it would be treated as lacking antecedent basis because claim 16 is not claiming a compressed signaling, and the term "signaling" refers to a different meaning in the art. Appropriate correction is required.

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Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 13 and 15 are rejected under 35 U.S.C. 102(b) as being anticipated by Fuller et al. (US Patent 5,729,279).

Regarding claim 13, Fuller discloses a method of distributing electronic content (Fig. 1) comprising the steps of: coupling electronic content to a redistribution device; receiving the electronic content from the redistribution device; over-the-air broadcasting the electronic content, i.e., digital broadcast electronic content are stored in a distribution center 104 and an uplink facility 102 generates a broadcast signal having digital electronic content or digital programming signals broadcasting to a plurality of downlink facilities 108, 110 & 112 via satellite links as means for over-the-air coupling or broadcasting to redistribution device 108, 110 & 112, and these devices receive the electronic content or digital programming services (Fuller, Fig. 1, and col. 8/line 64 to col. 9/line 1); and receiving the electronic content through a user appliance, i.e., the user at user appliance 210 receives the electronic content or digital programming (Fig. 2, and col. 10/lines 13-30).

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As for claim 15, in further view of claim 13 above, Fuller further discloses "wherein the step of receiving over-the-air broadcasting comprises forming a local area network with the user appliance", i.e., over-the air broadcasting from satellite 106 down to a facility 108 (Fig. 2) forming a local area network 404 within the distribution network 204 with the user appliance 210 (Figs. 2 & 4, and col. 13/line 39 to col. 14/line 24 for LAN 404 addressed).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1-12, 14, and 16-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fuller (U.S. Patent No. 5,729,297) in view of Dillon et al. (US Patent No. 6,430,233 B1).

Regarding claim 1, in further view of the Objection above, Fuller discloses a system of distributing electronic content (Fig. 1) comprising: a network operations center generating a broadcast signal having digital electronic content, i.e., digital broadcast electronic content are stored in a distribution center 104 and an uplink facility 102 regarding as a network operations center generates a broadcast signal having digital electronic content or digital programming

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signals to a plurality of downlink facilities 108, 110 & 112 (Fuller, Fig. 1, and col. 8/line 64 to col. 9/line 1); a communication backbone coupled to said network operations center, i.e., a communication network 100 or communication backbone coupled to the network distribution facility 102 using satellite links (as illustrated in Fig. 1, and col. 8/line 64 to col. 9/line 25); a base station receiving said broadcast signal from said backbone, said base station receiving said broadcast signal and forming a local area network, i.e., a facility 108 serves as a base station in receiving the broadcast signal from the distribution network 100 (Fig. 2, and col. 9/lines 25-53); said base station rebroadcasting at least a portion of said broadcast signal as a rebroadcast signal using said local area network, i.e., using a redistribution network 204 and a local area network 404 part of redistribution network 204, the facility 108 or base station 108 redistributes at least a portion of the broadcast signal to other user terminals 208 as a rebroadcast signal (Figs. 2 & 4, and col. 9/line 54 to col. 10/line 30 as a special-pay per-view program as a portion of the broadcast signal because not all users will receive all available programs, but they have to do a special order in receiving a part of available programs, and col. 13/line 57 to col. 14/line 25 for network 204 and a local area network 404); and a user appliance positioned with said local area network and receiving said rebroadcast signal, i.e., user appliance 210 coupled to terminal 208 within the local area network of distribution network 204 receives the rebroadcast signal (Figs. 2 & 4, and col. 10/lines 9-47 & col. 13/line 57 to col. 14/line 40).

Fuller does not address that Fuller's system further utilizing "a wireless local area network" within that local area network as addressed above; however, in a same environment in

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receiving digital satellite broadcast services (Dillon, Fig. 1, and col. 6/line 50 to col. 7/line 20), Dillon further teaches that at the user terminal side or at the satellite data receiver within the receiving station comprising a group of terminals (as illustrated in Fig. 9), one can use a plurality of network interfaces within the satellite data receiver in order to communicate with other networks such as a wireless local area network or wireless LAN (Dillon, col. 8/lines 44-67). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Fuller's technique of providing a local area network for users to communicate to each other in a small local network with Dillon's teaching technique of upgrading to a wireless local area network with the network interfaces as addressed in order to expand the capability of broadcast system in redistributing the broadcast signals or digital programming services to other networks such as a wireless LAN comprising wireless terminals or wireless devices as preferred.

As for claim 2, in view of claim 1, Fuller further discloses comprising "a television coupled to said base station, said television receiving at least a portion of said broadcast signal", i.e., a television 210 coupled to the base station or the facility 108 (Fig. 2), and a special-pay per-view program as a portion of the broadcast signal addressed because not all users will receive all available programs, but they have to do a special order in receiving a part of available programs (col. 9/line 54 to col. 10/line 30).

As for claim 3, in view of claim 1, Fuller discloses "wherein said base station forms said rebroadcast signal from said digital electronic content", i.e., video server 202 within the facility

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108 continually updates and selects programs for rebroadcasting to users based on their requests or commands and the programming is digital video programming signals from the distribution center 104 (col. 8/line 64 to col. 9/line 14, and col. 12/line 37 to col. 13/line 21).

As for claims 4 and 5, in view of claim 1, Fuller further discloses "wherein said electronic content comprises digital audio signals" and "wherein said electronic content comprises video", i.e., digital video programming signals includes video and audio signals (col. 3/lines 15-29, col. 6/lines 27-40 & col. 7/lines 20-36 for an MPEG converter in handling digital video and digital audio signals).

As for claim 6, in view of claim 1, Fuller further discloses "wherein said backbone comprises a high altitude device, cable or fiber optic cable", i.e., a satellite is a high altitude device (Fig. 1/item 106) and fiber optical cable or cable trunks can be used for distribution network 204 (col. 9/line 54 to col. 10/line 8).

As for claims 7 and 8, in view of claim 1, Fuller discloses "wherein said high altitude device comprises a satellite" and inherently discloses "wherein said high altitude device comprises a stratospheric platform", i.e., a satellite must be a high altitude device and in a stratospheric platform (Fig. 1/item 106; and as admitted without further details in section 0016 of the specifications).

As for claim 9, in view of claim 1, Fuller further discloses "wherein said base station comprises an integrated receiver decoder", i.e., an integrated receiver decode IRD 200 is included within the facility 108 or referred to as the base station (Fig. 2/item 200, and col. 9/lines 25-35).

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As for claim 10, in view of claim 1, Fuller further discloses “wherein said rebroadcast signal is a compressed signal”, i.e., rebroadcast signal receiving or being relayed at downlink facility 108 is in the compressed form of MPEG signals (col. 9/lines 1-19).

As for claim 11, in view of claim 1, Fuller further discloses “wherein said backbone comprises a cable network” (col. 9/line 54 to col. 10/line 8, and col. 28/lines 29-52 as this technique is for use in cable television networks).

As for claim 12, in view of claim 1, Fuller further discloses “wherein said backbone comprises a fiber optic network” (col. 28/lines 29-52 as fiber optical cable transmission is included within the network).

As for claim 14, in further view of claim 13, Fuller does not discloses “wherein the step of receiving over-the-air broadcasting comprises over-the-air broadcasting from a base station”; however, in a same environment in receiving digital satellite broadcast services (Dillon, Fig. 1, and col. 6/line 50 to col. 7/line 20), Dillon further teaches that at the user terminal side or at the satellite data receiver within the receiving station comprising a group of terminals (as illustrated in Figs. 8 & 9), one can use a plurality of network interfaces within the satellite data receiver of the receiving station in order to communicate with other networks such as a wireless local area network or wireless LAN, or over-the-air broadcasting from that receiving base station (Dillon, col. 8/lines 44-67). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Fuller’s technique of providing a local area network for users to communicate to each other in a small local network with Dillon’s teaching technique of

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upgrading to a wireless local area network or over-the-air broadcasting with the network interfaces as addressed in order to expand the capability of broadcast system in redistributing the broadcast signals or digital programming services to other networks such as a wireless LAN comprising wireless terminals or wireless devices as preferred.

Regarding claim 16, the combination of Fuller and Dillon teaches “a method of distributing electronic content comprising the steps of: broadcasting a television signal as a electronic content; receiving the electronic content; digitally compressing the electronic content into a compressed signal; and rebroadcasting the compressed signal using a wireless local area network” (see claim 1 above for the combined teaching of Fuller and Dillon, with a television signal as an electronic content addressed in Fuller’s, col. 3/lines 15-30 for cable television programming with video-on-demand broadcasting to TV users, and further in Fuller’s, col. 3/lines 39-54 for movies with digitally compressed delivering to TV set in customer’s room).

As for claim 17, in view of the Objection and claim 16, Fuller discloses “comprising the steps of receiving the compressed signal at a user appliance” (see col. 3/lines 39-54 for compressed signal delivered to customer’s TV set).

As for claim 18, in view of claim 16, Fuller further discloses “wherein the step of receiving comprises the steps of digitally decompressing the digital video stream, and displaying the video stream”, i.e., digital compressed video are encoded at video server and then later being decoded or decompressing, for instance, with an MPEG decoder, into an RF format or as baseband video signals that users can view on their display TV set (col. 4/lines 22-31 & col. 6/lines 15-27).

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8. Claims 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Fuller (U.S. Patent No. 5,729,297) in view of Dillon et al. (US Patent No. 6,430,233 B1) and Hylton et al (US Patent No. 5,708,961/ or "Hylton").

Regarding claim 19, Fuller discloses a base station (Fig. 2) comprising: a receiving antenna for receiving electronic content (antenna 108a for receiving electronic content from distribution center 102&104); compression software for compressing the electronic content into a compressed signal, i.e., a systems control computer 206 oversees the operation (Fuller, col. 9/lines 45-53) and uses MPEG converter 602 for encoding the electronic content into a compressed signal in MPEG formats (Fuller, Fig. 6, and col. 19/lines 20-65).

Fuller does not further address the step of "a transmitting area network antenna; and a wireless local area network interface coupled to the transmitting area network antenna and broadcasting the compressed signal through the transmitting area network antenna as a rebroadcast signal"; however, in a same environment in receiving digital satellite broadcast services (Dillon, Fig. 1, and col. 6/line 50 to col. 7/line 20), Dillon further teaches that at the user terminal side or at the satellite data receiver within the receiving station comprising a group of terminals (as illustrated in Figs. 8 & 9), one can use a plurality of network interfaces within the satellite data receiver of the receiving station in order to communicate with other networks such as a wireless local area network or wireless LAN, or over-the-air broadcasting from that receiving base station (Dillon, col. 8/lines 44-67). Dillon teaches to include a wireless LAN but does not show to have "a transmitting area network antenna" at the base station as claimed; however,

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Hylton in a wireless on-premises video distribution system further teaches to include a base station broadcasting to a plurality of wireless devices uses a transmitting area network antenna 27 for providing video services to a plurality of terminals 100 with antennas 29 (Hylton, Fig. 1, and col. 8/lines 5-45). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Fuller's technique of providing a local area network for users to communicate to each other in a small local network with Dillon's teaching technique of upgrading to a wireless local area network or over-the-air broadcasting with the network interfaces together with a transmitting area network antenna at the base station controller 10 as taught by Hylton, as a needed tool for communicating such as exchanges signaling messages between the controller 19 from the base station processing system 10 and terminals 100 as addressed in order to expand the capability of broadcast system in redistributing the broadcast signals or digital programming services to other networks such as a wireless LAN comprising wireless terminals or wireless devices as preferred.

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

Hendricks et al. (US Patents 5,659,350 & 5,682,195) disclose operations center for a digital and analog television program delivering system. Bigam et al. (US Patent 5,684,799) disclose a full service network having distributed architecture. Budow et al. (US Patent 5,625,864) disclose interactive digital video services system.

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10. **Any response to this action should be mailed to:**
Commissioner of Patents and Trademarks
Washington, D.C. 20231


or faxed to:
(703) 872-9314, (for Technology Center 2600 only)

*Hand-delivered responses should be brought to Crystal Park II,
2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).*

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tony Thuan Nguyen whose telephone number is (703) 308-5860. The examiner can normally be reached on Monday-Friday from 9:30 AM to 7:00 PM, with alternate Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Urban, can be reached at (703) 305-4385.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the **Technology Center 2600 Customer Service Office** whose telephone number is **(703) 306-0377**.



TONY T. NGUYEN
PATENT EXAMINER

Tony T. Nguyen
Art Unit 2685
June 25, 2003